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**REMARKS**

By this response to the Restriction Requirement of August 3, 2005, no claims are amended, canceled or added. Claims 27-68 are pending in this application.

**Election/Restriction Response**

In response to the Restriction Requirement mailed August 3, 2005, Applicants elect, without traverse, Species I which includes claims 27-45. It should be noted that in the restriction requirement dated August 3, 2005, the various groups of species did not include claims 27-32. The claims pending in the application included claims 27-68. It seemed to Applicant that the claims 27-32 should have been grouped along with claims 32-45. In an attempt to clarify the grouping of the missing claims, a phone call was made to Examiner Tim Phan after business hours on September 6, 2005 to discuss the missing claims. Applicant's attorney left a voice mail message to get this clarified, but received no answer. Applicant's attorney has made the election to Species I which includes claims 27-45. If Species I does not include claims 27-32, Applicant requests that the Examiner resend the restriction requirement with a listing of all the claims pending.

According to the Examiner, at least claim 27 is generic to the pending claims in the other groups II- IV. Therefore, upon allowance of a generic claim, Applicant is entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. Applicant also reserves all right to pursue disclosed subject matter at a later time.

RESPONSE TO RESTRICTION REQUIREMENT

Serial Number: 10/815,464

Filing Date: March 31, 2004

Title: PASSIVE WITHIN VIA

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6977 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

TODD B MYERS ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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Date

9/6/08

By



Richard E. Billion

Reg. No. 32,836

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 6th day of September, 2005.

Name

Amy Moriarty

Signature

